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f/k/a Acetris Health, LLC*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: VALSARTAN N-
NITROSODIMETHYLAMINE (NDMA)
CONTAMINATION PRODUCTS
LIABILITY LITIGATION

Civil Action No. 1:19-MD-02875

Hon. Robert B. Kugler
Magistrate Judge Joel Schneider

SUGGESTION OF BANKRUPTCY

PLEASE TAKE NOTICE that, on February 19, 2019, Kavris Health LLC *f/k/a* Acetris Health, LLC (the “Debtor”), filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) with the United States Bankruptcy Court for the District of New Jersey (the “Chapter 11 Case”). The Chapter 11 Case is jointly administered with the chapter 11 cases of the Debtor’s affiliated debtors, under the lead case, *Aceto Corporation, et al.*, 19-13448 (VFP).¹

¹ The debtors in the chapter 11 cases and the last four digits of each debtor’s taxpayer identification number are as follows: Aceto Corporation (0520); Tri Harbor Chemical Holdings LLC (*f/k/a* Aceto Agricultural Chemicals LLC, *f/k/a* Aceto Agricultural Chemicals Corporation) (3948); Tri Harbor Realty LLC (*f/k/a* Aceto Realty LLC) (7634); Kavod Pharmaceuticals LLC (*f/k/a* Rising Pharmaceuticals, LLC, *f/k/a* Rising Pharmaceuticals, Inc.) (7959); Kavod Health LLC (*f/k/a* Rising Health, LLC) (1562); Kavris Health LLC (*f/k/a* Acetris Health, LLC) (3236); KAVACK Pharmaceuticals LLC (*f/k/a* PACK Pharmaceuticals, LLC) (2525); Arsynco, Inc. (7392); and Acci Realty Corp. (4433).

PLEASE TAKE FURTHER NOTICE that, pursuant to section 362(a) of the Bankruptcy Code and the Bankruptcy Court's order entered on February 22, 2019 [Docket No. 44] attached hereto as Exhibit A, the Debtor's commencement of its Chapter 11 Case automatically initiated a stay applicable to all entities of, among other things: (a) the commencement or continuation of all judicial, administrative, or other actions or proceedings against the Debtor that were or could have been commenced before the commencement of the Chapter 11 Case; (b) any action to recover on any claims against the Debtor that arose before the commencement of the Chapter 11 Case; (c) the enforcement, against the Debtor or against any property of the Debtor's bankruptcy estate, of a judgment obtained before the commencement of the Chapter 11 Case; or (d) any act to obtain possession of property of or from the Debtor's bankruptcy estates, or to exercise control over property of the Debtor's bankruptcy estate. Accordingly, all creditors are stayed, restrained and enjoined from, among other things, commencing or continuing lawsuits or other actions or proceedings to recover on a claim against assets or property of the Debtor or its bankruptcy estate.

PLEASE TAKE FURTHER NOTICE that on September 18, 2019, the Bankruptcy Court entered an order [Docket No. 996] (the "Confirmation Order"), attached hereto as Exhibit B, confirming the Debtor's and its affiliated debtors' *Second Modified Joint Plan of Liquidation of Aceto Corporation and Its Affiliated Debtors* [Docket No. 757] (the "Plan"), which is annexed to the Confirmation Order. Pursuant to section 9.09 of the Plan, holders of prepetition claims against the Debtor are enjoined and precluded from, among other things, commencing or continuing any action or other proceeding against the Debtor in connection with or with respect to, or enforcing or collecting on any judgment entered with respect to, prepetition claims against the Debtor. This injunction is explicitly referenced in and approved by the Confirmation Order. See Confirmation Order, ¶¶ K(n) and II.

PLEASE TAKE FURTHER NOTICE that to the extent that any of the Plaintiffs in the above-captioned consolidated proceeding asserted prepetition claims against the Debtor in their respective Complaints, the filing of each such Complaint was in violation of and void pursuant to

the automatic stay described above, and the continuation of the above-captioned litigation—to the extent it is against the Debtor—is in violation of the automatic stay, the Confirmation Order, and the Plan, as applicable. Thus, for the reasons set forth above and more fully in the letter attached hereto as Exhibit C, the Debtor respectfully submits that all applicable Plaintiffs must withdraw their respective Complaints to the extent that each such Complaint is against the Debtor. The Debtor’s counsel intends to serve on each applicable Plaintiff’s counsel a letter substantially in the form as attached hereto as Exhibit C.

PLEASE TAKE FURTHER NOTICE that copies of the bankruptcy petitions and all other pleadings are available on the Court’s website, www.njb.uscourts.gov. Additional, copies of all pleadings and other information regarding the Chapter 11 Case are available on the website of the Debtor’s claims and noticing agent, Prime Clerk LLC, at <https://cases.primeclerk.com/aceto/>, free of charge.

Dated: September 26, 2019

Respectfully submitted,

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